

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

United States of America

vs.

(2) Ricardo Isael Martinez

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§
§

Judge Leon Schydlower
6th Floor, Courtroom #622

NO: EP:24-CR-01164(2)-LS

SCHEDULING ORDER

IT IS ORDERED that the above-entitled case has been set in the United States District Court in El Paso, Texas as follows:

ARRAIGNMENT: **Tuesday, June 18, 2024 at 10:00 a.m.** before United States Magistrate Judge Miguel A. Torres, Albert Armendariz Sr., U.S. Courthouse, Room #712, 7th Floor

DOCKET CALL: **Tuesday, July 02, 2024 at 09:30 AM** before United States District Judge Leon Schydlower, Albert Armendariz Sr., U.S. Courthouse, Room #622, 6th Floor

ARRAIGNMENT WAIVER: Defendant and counsel must appear in-person for arraignment unless the attached waiver is signed and filed by 3:00 p.m. on the day preceding the arraignment setting. Take note that if the arraignment is before a United States Magistrate Judge, only a plea of "Not Guilty" may be accepted.

DOCKET CALL: Counsel must appear in-person at docket call. Counsel may, however, file the attached Motion for Administrative Setting for the first docket call setting only. The defendant is not required to appear at docket call.

Defense Counsel is directed to provide a copy of this order to the defendant. The Clerk is directed to provide a copy of this order to any *pro se* defendant.

SO ORDERED.

DATE: June 07, 2024



Leon Schydlower
United States District Judge

TO: COURT; COUNSEL FOR THE DEFENDANT; DEFENDANT; U.S. ATTORNEY; U.S. MARSHAL;
U.S. PROBATION; U.S. PRETRIAL; U.S. MAGISTRATE

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
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vs.

(2) Ricardo Isael Martinez

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NO: EP:24-CR-01164(2)-LS

**WAIVER OF PERSONAL APPEARANCE AT ARRAIGNMENT
AND
ENTRY OF PLEA OF NOT GUILTY**

COMES NOW Defendant in the above referenced case who, along with his undersigned attorney, hereby acknowledges the following:

- 1) Defendant has received a copy of the indictment or information in this case. Defendant understands the nature and substance of the charges contained therein, the maximum penalties applicable thereto, and his Constitutional Rights, after being advised of all the above by his attorney.
- 2) Defendant understands he has the right to appear personally with his attorney before a Judge for arraignment in open Court on this accusation. Defendant further understands that, absent the present waiver, he will be so arraigned in open Court.

Defendant, having conferred with his attorney in this regard, hereby waives personal appearance with his attorney at the arraignment of this case and the reading of the indictment or information, and, by this instrument, tenders his plea of “not guilty”. The defendant understands that the entry by the Court of said plea for defendant will conclude the arraignment in this case for all purposes.

Date: _____

Defendant

Counsel for Defendant

ORDER

APPROVED by the Court. A plea of “Not Guilty” is entered for defendant effective **this date**.

Date: _____

United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

USA	§	Judge Leon Schydlower
	§	Sixth floor, Courtroom #622
vs.	§	
	§	NO: EP:24-CR-01164(2)-LS
(2) Ricardo Isael Martinez	§	
_____	§	

MOTION FOR ADMINISTRATIVE SETTING
IN LIEU OF APPEARANCE AT DOCKET CALL

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

Comes now undersigned Counsel for defendant, **(2) Ricardo Isael Martinez**, on this day and respectfully moves the Court to grant Counsel leave to enter this appearance administratively and in lieu of appearing at docket call scheduled for **Tuesday, July 02, 2024 at 09:30 AM**, and in support of said Motion shows the Court as follows:

- ____ 1. Counsel, **never having previously requested nor obtained a continuance**, moves for continuance of the docket call because of the need for investigation, plea negotiations, and/or preparation of the defense due to complex discovery issues in this case. Counsel further agrees that the interest of justice outweighs the interest of the defendant and the public in a speedy trial, and agrees that the time from the scheduled docket call through the next docket call is excludable time within the meaning of the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq.*; or
- ____ 2. The defendant moves to have the above-styled and numbered cause set for a plea hearing. The defendant requests that the plea be set in ____ 2 weeks, ____ 3 weeks, ____ 4 weeks; or
- ____ 3. The defendant moves to have the above-styled and numbered cause set for a plea and sentencing hearing before this Court. The defendant understands he/she can only be sentenced at the time of the plea if the defendant obtains the approval from the United States Probation Office. The defendant accepts the responsibility to obtain approval from the United States Probation Office. The defendant requests the plea and sentencing hearing be set at the Court's convenience.

Respectfully submitted,

_____(signature)

_____(typed or printed name)
Defense Counsel

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above Motion was served upon opposing counsel, via CM/ECF system which will transmit notification of such filing, in accordance with the Federal Rules of Criminal Procedure on this _____ day of _____, 20____.

Defense Counsel

COURT'S INSTRUCTIONS REGARDING DOCKET CALL
HON. LEON SCHYDLOWER

1. Defense counsel will be allowed to file the corresponding Motion for Administrative Setting in Lieu of Appearance at Docket Call (hereinafter "Motion") if the circumstances of the particular case meet the requirements of the Motion. If the particular circumstances of the case do not meet the requirements of the Motion, or if you have a doubt thereof, you should attend the docket call and discuss the matter with the Court on the record.
2. Counsel who have neither sought nor obtained a "pass" on a prior occasion and who wish to request one may do so by completing and filing the Motion. Counsel who have obtained a continuance previously must attend docket call if a second pass is going to be requested.
3. Counsel who wish to request a plea hearing (whether a "pass" has previously been requested or not) may also complete and file the Motion. **The plea hearing will not be scheduled after the next month's docket call.** Information about docket call dates may be obtained from the Courtroom Deputy.
4. If a trial setting is requested (jury or non-jury), Counsel must attend docket call and may not substitute the attached Motion.
5. Counsel is never precluded from attending the docket call.
6. If Counsel is scheduled to appear at docket call on several cases and is eligible to file a Motion in each case, said motion should be filed individually.
7. Questions about this process may be directed to Veronica Medina, Courtroom Deputy at 915-834-0518 (zero and odd cases) and to Erika Portillo at, 915-493-1886 (even cases).